

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	Criminal No.: _____
v.	:	Date Filed: _____
LARRY SMITH and	:	Violations:
RONALD SMITH	:	18 U.S.C. § 1951 (Hobbs Act robbery -
	:	1 Count)
	:	18 U.S.C. § 924(c) (Carrying a
	:	firearm during and in relation to a
	:	crime of violence - 2 Counts)
	:	18 U.S.C. § 2119 (Attempted carjacking
	:	- 1 Count)
	:	18 U.S.C. § 922(g)(1) (Felon in
	:	possession of a firearm - 1 Count)
	:	18 U.S.C. § 2 (Aiding and abetting)
	:	28 U.S.C. § 2461(d) and 18 U.S.C.
	:	§ 924(d) (Notice of Forfeiture)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this Indictment:

1. The Texaco Service Station, located at 5701 Rising Sun Avenue, in Philadelphia, Pennsylvania, is a business engaged in interstate commerce.
2. On or about February 7, 2003 at Philadelphia, in the Eastern District of Pennsylvania, defendants

LARRY SMITH and
RONALD SMITH

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that, defendants LARRY SMITH and RONALD SMITH, unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of \$284 from a business engaged in interstate commerce in the presence of others and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future to their person and property that is, by pointing a firearm at one employee and one customer, and demanding money and threatening death to the employee and customer.

All in violation of Title 18, United States Code, Sections 1951(a), 1951(b)(1), 1951(b)(3) and 2.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2003, in the Eastern District of Pennsylvania, defendant

LARRY SMITH

knowingly carried a firearm, that is, a Bryco .380 caliber semiautomatic handgun, bearing serial number 943334, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, Hobbs Act robbery, in violation of Title 18, United States Code, Section 1951, as charged in Count One of this Indictment.

In violation of Title 18, United States Code, Section 924(c).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2003, at Philadelphia, in the Eastern District of
Pennsylvania, defendants

**LARRY SMITH and
RONALD SMITH,**

with intent to cause death or serious bodily harm, did take, attempt to take, and aided and abetted the taking of and attempt to take, a motor vehicle, that is, a Ford Explorer, bearing Pennsylvania registration EMB6404, which motor vehicle had been transported, shipped, and received in interstate commerce, from the person or presence of another by force, violence and intimidation.

In violation of Title 18, United States Code, Sections 2119 and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2003, in the Eastern District of Pennsylvania, defendant

LARRY SMITH

knowingly carried a firearm, that is, a Bryco .380 caliber semiautomatic handgun, bearing serial number 943334, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, attempted carjacking, in violation of Title 18, United States Code, Section 2119, as charged in Count Three of this Indictment.

In violation of Title 18, United States Code, Section 924(c).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2003, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

LARRY SMITH

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment of a term exceeding one year, knowingly possessed in and affecting interstate commerce, a Bryco .380 caliber semiautomatic handgun, bearing serial number 943334, loaded with 1 live round of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

1. As a result of the violation of Title 18, United States Code, Section 922(g), set forth in Count Three of this Indictment, the defendant

LARRY SMITH

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including, but not limited to:

One Bryco .380 caliber semiautomatic handgun, bearing serial number 943334,
loaded with 1 live round of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney.